

**REMARKS**

Claims 23 and 24 are pending in the present application. Claims 19-22 have been cancelled. Claims 23 and 24 have been amended. Claims 23 and 24 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejection in view of the above amendments and the following remarks.

***Interview on January 18, 2006***

Applicants wish to thank Examiner Abul Azad for taking the time to conduct a personal interview with the following of the Applicants' representatives: D. Richard Anderson (40,439); Jason Rhodes (47,309); Fumio Ogawa; Toshio Yamada; and Yasuyuki Ohnishi. Below is provide the Substance of the Interview

***Substance of the Interview***

**Identification of Claims Discussed:** Claim 23 was discussed.

**Identification of Prior Art Discussed:** Canadian Patent 2,112,145 to Nomura et al. (hereafter "Nomura").

**Identification of Proposed Amendments:** The Examiner suggested further defining the claimed "noise level" to distinguish over his interpretation of Nomura. Another suggestion by the Examiner was an amendment regarding the changing density of zero-amplitude samples.

**General Results:** No agreement was reached. However, Applicants agreed to consider amendments to distinguish over the Examiner's interpretation of Nomura.

***Rejection Under 35 U.S.C. § 102***

Claims 19-24 stand rejected under 35 USC § 102(b) as being anticipated by Nomura. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Initially, Applicants point out that the rejection of claims 19-22 have been rendered moot by the cancellation of those claims above.

It is respectfully submitted that claims 23 and 24 are not anticipated by Nomura. MPEP § 2131 sets forth the following:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claims.” *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As amended, independent claim 23 recites, “if modification of the time series vector is determined to be necessary, modifying the time series vector such that the density of zero-amplitude samples is changed as a function of whether the coded speech is voiced or unvoiced.”

Similarly, independent claim 24 has been amended to recite, “modifying the time series vector such that the density of zero-amplitude samples is changed as a function of whether the coded speech is voiced or unvoiced if modification of the time series vector is determined to be necessary.”

Such amendments are supported in the application. For example, support can be found at Fig. 3; page 16, lines 13-20; and page 17, lines 19-22.

Applicants respectfully submit that Nomura fails to teach or suggest the above-mentioned features. Specifically, Applicants submit that Nomura fails to teach or suggest changing the density of zero-amplitude samples. Instead, the portions of Nomura cited by the Examiner relate to multiplying an excitation code vector with a gain. Such multiplication does not change the density of zero-amplitude samples.

Applicants respectfully submit that claims 23 and 24 are allowable at least for the reasons set forth above. Thus, the Examiner is respectfully requested to reconsider and withdraw this rejection.

*Conclusion*

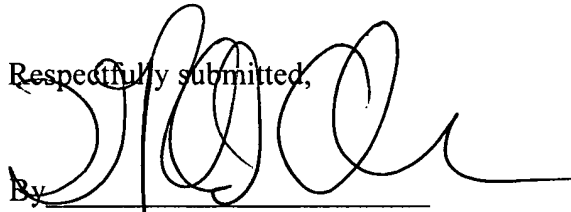
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

However, should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 8, 2006

Respectfully submitted,



By  
D. Richard Anderson  
Registration No.: 40,439  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant